

S U P R E M E C O U R T O F I N D I A

RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).11913/2006

(From the judgement and order dated 23/06/2006 in Misc.Case No.7190/2006 in WP
(C) No. 8185/2006 of the HIGH COURT OF ORISSA AT CUTTACK)

M/S. SEETAL AUTOMOBILES

Petitioner(s)

VERSUS

STATE OF ORISSA & ORS.

Respondent(s)

(With prayer for interim relief and with appln. for c/delay in depositing the amount
and office report)

WITH SLP(C) NO. 13193 of 2006, 13231/2006 & 13235/2006

(With appln.(s) for c/delay in depositing the amount and with prayer for interim relief
and office report)

Date: 19/03/2007 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.H. KAPADIA

HON'BLE MR. JUSTICE B. SUDERSHAN REDDY

For Petitioner(s)

Mr. A.K. Ganguli, Sr.Adv.

in SLP 11913/06:

Mr. Shambhu Prasad Singh, Adv.

Ms. Manjula Gupta,Adv.

in SLPs.13231,13235/06:

Mr. A.K.Ganguli, Sr.Adv.

Mr. Shambhu Prasad Singh, Adv.

Mr. Prem Sunder Jha, Adv.

in SLP 13193/06:

Mr. Shambhu Prasad Singh, Adv.

Mr. B.P.Ray, Adv.

Ms. Punam Kumari, Adv.

For Respondent(s)

Nos.1,2,3 in all:

Mrs. Kirti Renu Mishra,Adv.

UPON hearing counsel the Court made the following

O R D E R

We are informed that on the question of the compensatory nature of

the levy, the matter is fixed for final hearing tomorrow, the 20th March,

2007, before the High Court. In the circumstances, we are directing the

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petitioners to deposit the tax under protest in the High Court on month to

month basis. We direct the Registry of this Court to transfer the amounts

lying in the account to the credit of these special leave petitions also to the

High Court. Ultimately, it is for the High Court to mould the relief and

decide the matter in accordance with law as far as the demand/refund is

concerned.

The Special Leave Petitions are disposed of accordingly.

(N. Annapurna)
Court Master

(Madhu Saxena)
Court Master